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UNITED STATES DISTRICT COURT

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CENTRAL DISTRICT OF CALIFORNIA — WESTERN DIVISION

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ERIC B. FROMER CHIROPRACTIC,
INC., a California corporation,
individually and as the representative of
a class of similarly-situated persons,

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Plaintiff,

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vs.

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NEW YORK LIFE INSURANCE AND
ANNUTY CORPORATION, NYLIFE
SECURITIES LLC and JOHN DOES
1-10,

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Defendants.

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12578.0001/8895698.1

Case No. 2:15-cv-04767 AB (JCx)
Hon. André Birotte Jr.
Ctrm. 4 – Spring Street

CLASS ACTION

**[PROPOSED] ORDER GRANTING
STIPULATION TO VACATE
DEADLINE FOR DEFENDANTS
TO FILE INITIAL DISCLOSURES
AND RESPONSIVE PLEADING
AND SETTING DEADLINE FOR
FINALIZING SETTLEMENT**

Action Filed: June 24, 2015
Trial Date: None Set

1 Defendants NEW YORK LIFE INSURANCE AND ANNUITY
2 CORPORATION AND NYLIFE SECURITIES LLC (“Defendants”) by and
3 through their undersigned attorneys, and Plaintiff ERIC B. FROMER
4 CHIROPRACTIC, INC. (“Plaintiff”) (collectively the “Parties”), by and through its
5 undersigned attorneys, have stipulated to continue certain scheduling dates to give
6 the Parties time to finalize a Settlement Agreement. The Court, having read and
7 considered the Parties’ Stipulation, and good cause having been shown, orders as
8 follows:

ORDER

In light of the Parties' representation that the matter has settled pursuant to terms set forth in a binding Term Sheet, Defendants' obligations to file their Rule 26 Disclosures and to file their Motion(s)/responsive pleadings are vacated absent further order from the Court. The Parties shall report to the Court no later than November 7, 2016, to advise the Court of confirmation of execution of a final Settlement Agreement, to request a scheduling conference to propose a schedule for class certification briefing, administration, and final approval consistent upon confirmation of a final written Settlement Agreement. If the final Settlement Agreement is not executed and briefing schedule proposed by November 7, 2016, the Parties shall report to the Court as to any remaining impediments to implementing the settlement terms reflected in the Term Sheet.

21 | IT IS SO ORDERED.

23 | DATED: October 18, 2016

Andrew Brink

Hon. André Birotte Jr.
United States District Judge